

REMARKS

Consideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

A. **Status of the Claims and Explanation of Amendments**

Claims 1-31 were pending, with claims 3, 15-16 and 18-30 having been withdrawn from consideration on the merits by way of the September 19, 2005 Election Requirement.

By this paper, claims 1, 6, 7, 11, 14 and 31 are amended, and new claims 32-34 are added. Claim 6 is amended to depend from claim 5, instead of claim 1. This is believed to provide antecedent basis for the term “the polymer” in claim 6. In claim 7, the word “contain” is changed to “contains,” to correct a grammatical error. In claim 11, the word “area” is changed to “areas,” again to correct a grammatical error. In claim 14, the phrase “the a” was changed to “a.” These changes are not made for any substantial reasons related to patentability (§§ 102, 103). No new matter will be added by entry of these amendments. Entry is requested.

As to claim 1, it is amended for added clarity. The liquid applying conditions are deleted from the “wherein” clause, which now recites that the different liquid applying conditions are set “for making different degrees of gloss respectively.” In addition, the setting step has been amended to expressly recite three particular liquid applying conditions.

As to claim 31, it has been amended to recite “liquid applying unit,” “scanning device,” and “controller” instead of “liquid applying means,” “scanning means,” and “controlling means,” respectively. Also, the liquid applying unit element was amended to specify “a liquid containing an aqueous medium and a polymer.” Further, the controller element was amended to recite that control is “based on at least one of a liquid applying condition relating to an applying time difference between the liquid applied to adjacent locations, a liquid applying condition relating to a number of times of scan for applying the liquid, and a liquid applying condition relating to complementary mask patterns used for applying the liquid in a plurality of scans.” The “changing means” element is deleted from the claim. Additional conforming amendments were made.

Claims 32-34 are added, which are each directed to “[a] print producing method of producing a print that is made of a printing medium on which ink is applied” and recite three steps. The first step recites “applying ink to the printing medium by means of ink applying means while scanning the ink applying means relatively to the printing medium.” The second step recites “applying a liquid for changing a degree of gloss by means of liquid applying means on the printing medium to which the ink has been applied, while scanning the liquid applying means relatively to the printing medium.” The third step for these claims varies. Claim 32 recites, in this regard “setting a liquid applying condition relating to an applying time difference between the liquid applied to adjacent locations on the printing medium.” Claim 33 recites, in this regard

“setting a liquid applying condition relating to a number of times of scan for applying the liquid.” Claim 34 recites, in this regard “setting a liquid applying condition relating to complementary mask patterns used for applying the liquid in a plurality of scans.” Each of these claims then recites a final “wherein” clause as follows: “wherein different liquid applying conditions are set for making different degrees of gloss respectively.”

Support for these claim amendments is found throughout the application as originally filed. No new matter will be added by entry of these amendments. Entry is requested.

There were only two rejections on the merits in the April 25 office action. Claims 1, 2, 4, 8-14, 17 and 31 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by a Japanese Patent Application to Yamamoto et al. (JP 05-208508) (“Yamamoto”). [4/25/06 Office Action at pp. 2-3]. Also, claims 5-7 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Yamamoto in view of U.S. Patent No. 4,732,786 to Patterson et al. (“Patterson”). [4/25/06 Office Action at pp. 3-4].

B. Claims 1, 2, 4-14, 17 And 31 Are Patentably Distinct
From Yamamoto Alone Or With Patterson

The prior rejections of claims 1, 2, 4-14, 17 and 31 are moot. In particular, the different liquid applying conditions for varying the gloss recited in Applicant’s claim 1 are not disclosed by either of the two cited references.

Specifically, Applicant’s claim 1 recites:

1. A print producing method of producing a print that is made of a printing medium on which ink is applied, said method comprising the steps of:

applying ink to the printing medium by means of ink applying means while scanning the ink applying means relatively to the printing medium;

applying a liquid for changing a degree of gloss by means of liquid applying means on the printing medium to which the ink has been applied, while scanning the liquid applying means relatively to the printing medium; and

setting at least one of a liquid applying condition relating to an applying time difference between the liquid applied to adjacent locations on the printing medium, a liquid applying condition relating to a number of times of scan for applying the liquid, and a liquid applying condition relating to complementary mask patterns used for applying the liquid in a plurality of scans,

wherein different liquid applying conditions are set for making different degrees of gloss respectively.

Yamamoto is directed to an image recording device. Figure 15, referenced by the office action, purports to show ink jet image recording equipment. A gloss ink jet head (15) records a transparent gloss ink, which is obtained from a separate gloss ink tank (15). [Yamamoto, translation at ¶52]. The sole means disclosed by Yamamoto for varying gloss are:

1. varying the impression energy during gloss recording; [Yamamoto, translation at ¶¶10-11, 13]
2. applying “piles” of the transparent gloss ink onto an otherwise mat image. [Yamamoto, translation at ¶24].

Yamamoto is alleged by the office action to disclose varying gloss by altering the time difference between the liquid applied to adjacent locations and by a

mask pattern used for applying the liquid. Support for this allegation is said to be found in paragraphs 39-45 of Yamamoto.

The cited passages describe Yamamoto's Figures 9 and 10, which are the mat and glossy dot patterns for thermal printing. In Figure 9, an 8x8 grid is shown where some cells are written, and others are not. [Yamamoto, translation at ¶¶40-41]. This figure has nothing whatsoever to do with gloss, and does not support the allegation in the office action.

Figure 10 shows patterns of the transparent gloss ink. [Yamamoto, translation at ¶¶42-43]. Paragraph 44 discloses that the color ink and the gloss ink are melted together and are separately written by two thermal heads. Paragraph 45 discloses that the image processing system generates image data including gloss information, and outputs that gloss information as needed. Nothing in the explanatory passages suggest that the patterns shown in Figure 10 are intended or used by Yamamoto to actual vary gloss. This figure and these passages have nothing whatsoever to do with varying time difference between the liquid applied to adjacent locations. This figure and these passages does not disclose that masks are employed to generate gloss ink ejection data (i.e., gloss liquid is ejected based on the masks) and thereby vary the gloss level.

A mask pattern of Yamamoto is used for selectively applying transparent ink, and differs from the complementary mask patterns of the present invention, which are used for completely applying a liquid with a plurality of scans. Therefore, the present

invention cannot be anticipated if the mask pattern of Yamamoto is used in an ink jet printer.

Thus, Yamamoto fails to teach, disclose or suggest “setting at least one of a liquid applying condition relating to an applying time difference between the liquid applied to adjacent locations on the printing medium, a liquid applying condition relating to a number of times of scan for applying the liquid, and a liquid applying condition relating to complementary mask patterns used for applying the liquid in a plurality of scans” as recited in Applicant’s claim 1.

Patterson is directed to ink jet printable coatings. The office action has asserted that Patterson alleviates certain admitted deficiencies in Yamamoto with regard to claims 5-7. Without commenting on that assertion, Applicant notes that the office action does not assert that Patterson teaches, discloses or suggests “setting at least one of a liquid applying condition relating to an applying time difference between the liquid applied to adjacent locations on the printing medium, a liquid applying condition relating to a number of times of scan for applying the liquid, and a liquid applying condition relating to complementary mask patterns used for applying the liquid in a plurality of scans” as recited in Applicant’s claim 1. Applicant’s own review of Patterson finds no such disclosure.

Accordingly, as Applicant cannot find the different liquid applying conditions of claim 1 in Yamamoto or Patterson, at least independent claims 1 and 31, and their dependent claims 2, 4-14, and 17 are respectfully asserted to be in condition for

allowance. New claims 32-34 are also believed to be in condition for allowance for at least similar reasons.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art.

Also, Applicant has not specifically addressed the rejections of the dependent claims. Applicant respectfully submits that the independent claims, from which they depend, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicant, however, reserves the right to address such rejections of the dependent claims in the future as appropriate.

Appl. No. 10/676,427
Paper dated July 25, 2006
Reply to Office Action dated April 25, 2006

CONCLUSION

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-5168.

Dated: July 25, 2006

Respectfully submitted,
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